

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

SHANE DIETLIN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	3:25-CV-303-KAC-JEM
	)	
NATHAN KIRK, et al.,	)	
	)	
Defendants.	)	

**ORDER REMANDING ACTION**

Because this Court lacks subject matter jurisdiction, the Court remands this action to the Circuit Court for Anderson County, Tennessee.

On March 14, 2025, Plaintiff Shane Dietlin filed a complaint in the Circuit Court for Anderson County, Tennessee against Defendants [Doc. 1-1]. Thereafter, on June 4, Plaintiff filed a “Supplemental Amended Complaint,” adding a “paragraph” to the Complaint [See Doc. 1-3 at 3]. On June 27, Defendants removed this action [Doc. 1]. The “Notice of Removal” purports to invoke the Court’s federal question jurisdiction “pursuant to 28 U.S.C. § 1331” based on language in the Supplemental Amended Complaint [See Doc. 1 at 2 (relying on references to “violations of civil rights,” “color of law,” and “the United States Constitution” in the Supplemental Amended Complaint)].

Because the Supplemental Amended Complaint appeared to assert a response to an anticipated state law immunity defense rather than present a federal claim, the Court issued an Order to Show Cause requiring Defendants to provide information sufficient to show that the Court has jurisdiction over this action [Doc. 7]. Defendant Christopher Wallace responded [Doc. 8] arguing that the Court should “decline to remand this case” for two reasons. *First*, he argues that

language in the Supplemental Amended Complaint—including a citation to “federal case law” and sporadic references to “the U.S. Constitution” and “a violation of civil rights”—could indicate that Plaintiff intends to bring a claim arising under federal law [*See* Doc. 8 at 2-3]. ***Second***, he asserts that “Plaintiff’s counsel has not agreed to a stipulation stating that there are no federal claims in the Supplemental Amended Complaint” [*Id.* at 3]. While Defendant Wallace’s counsel has invited Plaintiff’s counsel to enter a stipulation, [*see* Doc. 8-1], he has not yet “received a response from Plaintiff’s counsel” one way or another, [*see* Doc. 8 at 3]. Neither argument moves the needle.


Federal courts possess only that jurisdiction the Constitution and Congress authorize. *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 377 (1994) (citations omitted). Defendants bear the burden of demonstrating that the Court has jurisdiction. *See Eastman v. Marine Mech. Corp.*, 438 F.3d 544, 549 (6th Cir. 2006). In a case initially removed from state court, without jurisdiction, “the federal court must remand the case to the state court where it started.” *See Royal Canin U.S.A., Inc. v. Wullschleger*, 604 U.S. 22, 39 (2025); *see also* 28 U.S.C. § 1447(c).

Defendants may properly remove this action to federal court “only if the plaintiff’s claims ‘arise under’ federal law” [*See* Doc. 7 at 2]. *See Ohio ex rel. Skaggs v. Brunner*, 549 F.3d 468, 474 (6th Cir. 2008) (cleaned up) (quoting 28 U.S.C. § 1441(b)). The Court looks “only to the ‘well-pleaded allegations of the complaint.’” *Id.* (quoting *Mikulski v. Centerior Energy Corp.*, 501 F.3d 555, 560 (6th Cir. 2007)). The Court “‘ignore[s] potential defenses’ that the defendant may raise.” *Id.* (alteration added) (quoting *Mikulski*, 501 F.3d at 560). A claim “arises under federal law” only if the ***well-pleaded allegations in the Complaint itself***: (1) state a federal cause of action; (2) include a state claim that necessarily depends on a substantial and disputed federal issue; (3) raise

a state claim completely preempted by federal law; or (4) artfully plead a state claim that is actually a federal claim in disguise. *See Ohio ex rel. Skaggs v. Brunner*, 629 F.3d 527, 530 (6th Cir. 2010).

Here, Plaintiff's Complaint [Doc. 1-1] as supplemented by his Supplemental Amended Complaint [Doc. 1-3] fails to state a well-pleaded claim arising under federal law. The isolated references and loose language on which Defendant relies is inadequate to state a well-pleaded federal claim. *See Michigan S. R.R. Co. v. Branch & St. Joseph Ctys. Rail Users Ass'n, Inc.*, 287 F.3d 568, 574 (6th Cir. 2002) ("mere reference to a federal statute does not establish federal jurisdiction"); *see also Eastman*, 438 F.3d at 549-50 (instructing district courts to resolve all doubts in favor of remand). Unless the "well-pleaded allegations of the complaint" present a federal question, the Court lacks jurisdiction to hear this case. *See* 28 U.S.C. § 1332. Further, a response to an anticipated state law immunity defense would not confer jurisdiction on this Court either. *See Ohio ex rel. Skaggs*, 549 F.3d at 474. Without jurisdiction, the Court must remand this action. *See Royal Canin U.S.A., Inc.*, 604 U.S. at 39; *see also* 28 U.S.C. § 1447(c). Therefore, the Court **REMANDS this action to the Circuit Court for Anderson County, Tennessee**. The Clerk **SHALL** mail a certified copy of this Order to the Clerk of the Circuit Court for Anderson County, Tennessee, and **CLOSE** this case.

SO ORDERED.

  
KATHERINE A. CRYTZER  
United States District Judge